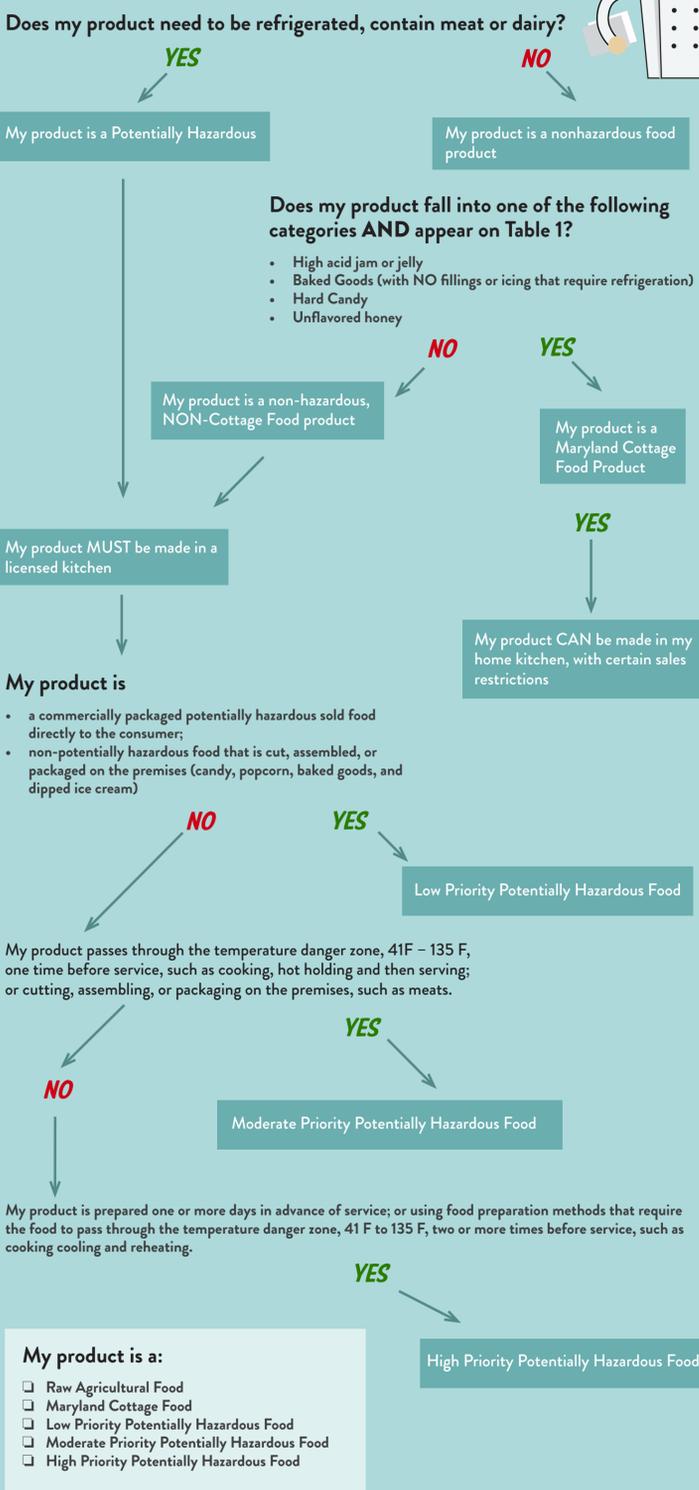
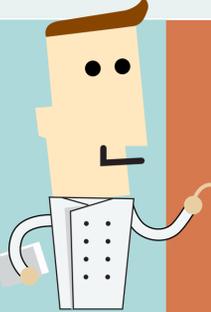


TO PREPARE FOOD IN MARYLAND:



By answering the questions in this flow chart, a food business determines the requirements that apply to their food product in order to sell at Farmers Markets in Montgomery County. If you still have questions about a specific product, contact Licensure and Regulatory Services within the Montgomery County Department of Health and Human Services at 240-777-3986.



Tips for reading the charts:

For food businesses, you are not licensed as one entity; you are licensed as a place of production and a place of sales. This is because not all sales venues require the same degree of requirements for where you prepare your product.

- A Food Facility/Food Service Facility License/Permit is obtained from the County where you are preparing food
 - ◊ A farmers market or temporary event permit is obtained from the County where you are selling food.
 - ◊ If a farmers market or temporary event requires a Food Service Facility License this License does NOT have to be in the same County where you are selling the food. However, some Counties require that your business personally holds the Food Service Facility License, whereas, other Counties will only require a letter from a Licensed Facility, and you do not need that license in your business name.
- It is recommended that everyone register their business and have insurance. Unless stated in the chart, most Counties do not ask for your Trade Name or Tax ID number, though some do. Again, everyone should have this, however only some Counties specifically ask for it in the permit application.
- Most licensed facilities and events will ask that you have insurance. This may not appear on the actual permit application but it may be required by the independent market organizers. Only documents that are required for obtaining permits at the County level are indicated on the chart. It does not mean that there aren't additional forms that are required on behalf of the event organizers.

TABLE 1
Maryland's non-hazardous, cottage food items

BAKED GOODS	Notes
Bagels	
Biscuits	
Breads	No cheese or vegetables (Sweet breads such as banana bread, zucchini bread and pumpkin bread are allowed)
Brownies	
Cakes	No frostings or fillings that require refrigeration
Cobblers	
Cookies	
Crisps	No fillings that require refrigeration
Doughnuts	
Muffins	
Pastries	No fillings or toppings that require refrigeration
Pies	No custards, crème, custard, meringe, sweet potato pies or cheesecakes ALLOWED FLAVORS: Apples, apricots, Grapes, Peaches, Plums, Prunes, Quince, Oranges, Nectarines, Blackberries, Raspberries, Blueberries, Boysenberries, Cherries, Cranberries, Strawberries, Red currant; or any fruit combination with a Natural pH of 4.6 or below
Rolls	
Scones	
CANDIE AND TREATS:	
Chocolate	Includes chocolate covered nuts, pretzels, marshmallows, graham crackers, rice crispy treats etc.; no chocolate covered fruit
Fudge	
Candies	Toffee, caramels, hard-candy; no truffles
Brittles	Ex. Peanut Brittle
Marshmallows	
CONDIMENTS	
Honey	No flavored honey
Fruit Butters	ALLOWED FLAVORS: Apples, Apricots, Grapes, Peaches, Plums, Prunes, Quince,
Jams and Jellies	ALLOWED FLAVORS: Apples, apricots, Grapes, Peaches, Plums, Prunes, Quince, Oranges, Nectarines, Blackberries, Raspberries, Blueberries, Boysenberries, Cherries, Cranberries, Strawberries, Red currant; or any fruit combination with a Natural pH of 4.6 or below

TABLE 2
MARYLAND'S Cottage Food Product Labeling Requirements

(1) Stored on the premises of the Cottage Food Business	
(2) Prepackaged with a label that contains the following information:	a. Your name b. Address where the cottage food was produced c. The name of the cottage food product d. The ingredients of the cottage food product in descending order of the amount of each ingredient by net weight or net volume e. Allergen information (The Big 8) f. If any nutritional claim is made, a federal nutrition label is required g. In 10 point font, or larger, include: "MADE BY A COTTAGE FOOD BUSINESS THAT IS NOT SUBJECT TO MARYLAND'S FOOD SAFETY REGULATIONS."
(3) The owner of the cottage food business shall comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage and sale of cottage food products.	
(4) The Department may investigate any complaint alleging that a cottage food business has violated this section.	
(5) Should an investigation need to happen, the cottage food business must allow a representative to enter and inspect the premises of the cottage food business	

Chart 2
I would like to sell my product at a Temporary Market in Montgomery County, Maryland

Class of Food	Where food product can be produced	Documents required to sell food in Montgomery County
Farmer/Raw Agricultural Products only		<input type="checkbox"/> Temporary Event specific application forms <input type="checkbox"/> Montgomery County Temporary Food Service License Application ◊ TaxID
Maryland Cottage Food Product	In a home kitchen	<input type="checkbox"/> Temporary Event specific application forms <input type="checkbox"/> Montgomery County Temporary Food Service License Application <input type="checkbox"/> Tax ID <input type="checkbox"/> Product is labeled according to State regulations (Table 2)
Low Priority Potentially Hazardous Food	In a licensed kitchen	<input type="checkbox"/> Temporary Event specific application forms <input type="checkbox"/> Montgomery County Temporary Food Service License Application <input type="checkbox"/> Tax ID <input type="checkbox"/> Letter from licensed facility
Moderate Priority Potentially Hazardous Food	In a licensed kitchen	<input type="checkbox"/> Temporary Event specific application forms <input type="checkbox"/> Montgomery County Temporary Food Service License Application <input type="checkbox"/> Tax ID <input type="checkbox"/> Letter from licensed facility
High Priority Potentially Hazardous Food	In a licensed kitchen	<input type="checkbox"/> Temporary Event specific application forms <input type="checkbox"/> Montgomery County Temporary Food Service License Application <input type="checkbox"/> Tax ID <input type="checkbox"/> Letter from licensed facility

Chart 1
I would like to sell my product at a Farmers Market in Montgomery County

Class of Food	Where food product can be produced	Documents required to sell food in Montgomery County
Farmer/Raw Agricultural Products only		<input type="checkbox"/> Farmers Market specific application forms <input type="checkbox"/> Montgomery County Farmer's Market License Application ◊ TaxID
Maryland Cottage Food Product	In a home kitchen	<input type="checkbox"/> Farmers Market specific application forms <input type="checkbox"/> Montgomery County Farmer's Market License Application ◊ TaxID <input type="checkbox"/> Product is labeled according to State regulations (Table 2)
Low Priority Potentially Hazardous Food	In a licensed kitchen	<input type="checkbox"/> Farmers Market specific application forms <input type="checkbox"/> Montgomery County Farmer's Market License Application ◊ TaxID <input type="checkbox"/> Letter from licensed facility where food is prepared
Moderate Priority Potentially Hazardous Food	In a licensed kitchen	<input type="checkbox"/> Farmers Market specific application forms <input type="checkbox"/> Montgomery County Farmer's Market License Application ◊ TaxID <input type="checkbox"/> Letter from licensed facility where food is prepared
High Priority Potentially Hazardous Food	In a licensed kitchen	<input type="checkbox"/> Farmers Market specific application forms <input type="checkbox"/> Montgomery County Farmer's Market License Application ◊ TaxID <input type="checkbox"/> Letter from licensed facility where food is prepared

- Many of our participants have been told that since they are a Cottage Food product, they don't need a permit. That is incorrect, when the inspector comes to the market they will want to see that you have a permit allowing you to sell at the event. They will not need verification on where you produced your product, so long as your product adheres to proper labeling.
- You must submit a Farmers Market License Application for every Farmers Market you wish to participate in that is located in Montgomery County.

